

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Gary Karlin Michelson, M.D.)	Group Art Unit: (3641)
)	
Serial No.: Div. of 09/618,197)	
)	Examiner: (S. Johnson)
Filed: August 26, 2003)	
)	
For: Stapler Handle)	

Mail Stop: PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicant brings to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed concurrently with the above-referenced application.

Copies of the listed documents were previously submitted or cited in a prior application, serial no. 09/618,197, filed July 18, 2000, upon which applicant relies for the benefits provided in 35 U.S.C. § 120. Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed

documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicant determines that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 50-1066.

Respectfully submitted,

MARTIN & FERRARO, LLP

Date: 8-26-03

By: 

Amedeo F. Ferraro
Registration No. 37,129
1557 Lake O'Pines Street, NE
Hartville, Ohio 44632
Telephone: 330-877-0700
Facsimile: 330-877-2030

Substitute for FORM PTO-1449		Attorney Docket Number 101.0026-04000	Customer No. 22882	
INFORMATION DISCLOSURE CITATION IN AN APPLICATION		Applicant Gary Karlin Michelson, M.D.		Application Number Div. of 09/618,197
(Use several sheets if necessary) Sheet <u>1</u> of <u>2</u>		Filing Date August 26, 2003	Group Art Unit (3641)	Examiner (S. Johnson)

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		D 167,034	06/1952	Gottlieb et al.			
		D 230 974	03/1974	Howlett			
		D 272,278	01/1984	Green et al.			
		D 277,029	01/1985	Blake III, et al.			
		156,431	11/1874	Luce			
		547,447	10/1895	Paquot et al.			
		1,028,032	05/1912	Krag			
		1,202,707	10/1916	Grieco			
		1,349,345	08/1920	Payne			
		2,874,502	02/1959	Lockwood			
		3,019,673	02/1962	Sjostkand et al.			
		3,128,571	04/1964	Herrett			
		3,167,876	02/1965	Milroy Jr.			
		4,330,093	05/1982	Chapman, Jr.			
		4,669,769	06/1987	Polder, Jr.			
		4,733,671	03/1988	Mehl			
		4,777,948	10/1988	Wright			
		5,592,769	01/1997	Villani			
		5,768,817	06/1998	Simons			

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION (YES/NO)
		FR 2845179	12/1981	France			
		FR 550415	03/1923	France			
		DE 2618074	11/1977	Germany			
		73402	10/1916	Switzerland			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	
	English translation of Swiss Patent No. 73402 (J. Bocksberger and sons, 12/17/14)
	Electrical Construction & Maintenance, Page 151, January 1978
	Industrial Design, Page 56, September 1968
	Ramset catalog, Winchester Group, Olin Corp., Form B-552, 1969
	Remington Powder Actuated Fastening Systems, Page 5, October 1974
	Mathews LTD, Olympic records held by VOSTOK, 9-1962, Shooting Times and Country Magazine, one page
	Colt Case, Guns and Ammo, 3-1976, Colt Case, pp. 74-75
EXAMINER	DATE CONSIDERED
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.	